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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/410,859 | 10/01/1999 | ANDREW L. LAURSEN | 1014C2 | 7571 |

26528 7590 03/03/2004

BEYER WEAVER & THOMAS, LLP
P.O. BOX 778
BERKELEY, CA 94704-0778

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| EXAMINER |
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CUMMING, WILLIAM D

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| ART UNIT | PAPER NUMBER |
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2683

DATE MAILED: 03/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/410,859

Applicant(s)

LAURSEN, ET AL

Examiner

WILLIAM D CUMMING

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32-48 and 84-104 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 32-48 is/are allowed.
- 6) ☒ Claim(s) 84-104 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 December 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.
2. The use of the trademark AT&T WIRELESS SERVICE has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.
3. Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 84-104 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The specification fails to provide an enabling disclosure on how a computer program code, which is a non-physical identity, can send a request over a wireless network, receive the data from the server and displaying the data as stated in claim 84.

The specification fails to provide an enabling disclosure on how a computer program code, which is a non-physical identity, can determine whether a communication session between the mobile device and server exists, create the communication session; conduct mutual authentication, generating session credential information for the communication session and forwarding the credential information to the server as stated in claim 95.

The specification fails to provide an enabling disclosure on how a computer program code, which is a non-physical identity, can receiving a request from the mobile device through the wireless network to access the data, retrieve the data; and forward the data to the mobile device in a first format displayable on the display as stated by claim 100.

The specification fails to provide an enabling disclosure on how a computer program code, which is a non-physical identity, can prompt the computer device, provide access to the data in a second format, and updating the data upon receiving update information from the computing device as stated by claim 100.

Regarding claims 84-104, A single means claim, i.e., where a means (computer program code) recitation does not appear in combination with another recited element of means, is subject to an undue breadth rejection under 35 U.S.C. 112, first paragraph. *In re Hyatt*, 708 F.2d 712, 714-715, 218 USPQ 195, 197 (Fed. Cir. 1983). A single means claim which covered every conceivable means for achieving the stated purpose was held nonenabling for the scope of the claim because the specification disclosed at most only those means known to the inventor. Where the claim covers every conceivable structure (computer program code) for achieving the stated property (result) while the specification discloses at most only those known to the inventor.

Claims 84-104 are rejected under 35 U.S.C. 112, first paragraph. Specifically, since the claimed invention is not supported by either an asserted utility or a well established utility for the reasons set forth above, one skilled in the art clearly would not know how to use the claimed invention.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 84-104 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "program code" is confusing. Is it the same "computer program code" or different? Are the three "program code" mentioned same or different program code?

Claim Rejections - 35 USC § 101

8. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

9. Claims 84-104 are rejected under 35 U.S.C. 101 because the disclosed invention is inoperative and therefore lacks utility.

Since a computer program code is not a physical identity, it is impossible the computer program code can do the functions that require physical devices.

Response to Amendment**10. AMENDMENTS NOW MUST BE SUBMITTED IN REVISED FORMAT**

All amendments received by the Office on or after July 30, 2003 must be in compliance with the rules as required by the Revised Amendment Practice. This practice requires the submission of an amendment document that includes separate sections for amendments to the claims, drawings, specification and abstract, each beginning on a new sheet of paper. If an amendment is received as a preliminary amendment or as a *bona fide* reply under 37 CFR 1.111, that has compliant amendments to one or more separate section(s), but also includes one, or more, separate section(s) with non-compliant amendments, the Office will mail a Notice of Non-Compliant Amendment requiring correction to the non-compliant section(s) within a time period set by the Office. When making corrections, applicant should just resubmit the needed corrected section(s), and correspondingly, should not resubmit the entire amendment document. For example, if the amendment included compliant amendments to the specification and claims, and non-compliant amendments to the drawings, a notice requiring resubmission of compliant amendments to the drawings would be sent. In reply to the notice, applicant should only submit a compliant amendment to the drawings, and not the previously compliant amendments to the specification and claims. If any additional, or further, amendments to the claims are desired, the changes must be made relative to the previous compliant amendment to the claims. The Office will consider both the previous compliant amendment to the claims, and the supplemental compliant amendment to the claims, after the Office receives the compliant amendment to the drawings.

An amendment submitted on or after July 30, 2003 as part of a reply after the close of prosecution (e.g., as a reply under 37 CFR 1.116) that is not compliant with the Revised Amendment Practice will not act to toll the outstanding time period. See 37 CFR 1.135(c). A notice (e.g., an advisory action) may be mailed by the Office specifying which section(s) of the amendment was not in compliance with the Revised Amendment Practice, but no new time period will be given to provide a compliant section.

REVISED FORMAT OF AMENDMENTS**Begin on separate sheets:**

Each section of an Amendment (e.g., Claim Amendments, Specification Amendments, Remarks) should begin on a separate sheet. *For example*, in an amendment containing a.) introductory comments, b.) amendments to the claims, c.) amendments to the specification, and d.) remarks, each of these sections should begin on a separate sheet. This will facilitate the process of separately indexing and scanning of each part of an amendment document for placement in an electronic file wrapper.

Two versions of amended part(s) no longer required:

The current requirement in 37 CFR 1.121(b) and (c) to provide two versions (a clean version and a marked up version) of each replacement paragraph, section, substitute specification or claim will be waived where an amendment is submitted in the following format:

A) Amendments to the claims:

Each amendment document that includes a change to an existing claim, or submission of a new claim, **must include a complete listing** of all claims in the application. After each claim number, the status must be indicated in a parenthetical expression, and the text of each claim under examination (with markings to show current changes) must be presented. The listing will serve to replace all prior versions of the claims in the application.

- (1) The current status of all of the claims in the application, including any previously canceled or withdrawn claims, must be given. Status is indicated in a parenthetical expression following the claim number by one of the following: (original), (currently amended), (previously amended), (canceled), (withdrawn), (new), (previously added), (reinstated – formerly claim #_), (previously reinstated), (re-presented – formerly dependent claim #_), or (previously re-presented). The text of all pending claims under examination must be submitted each time any claim is amended. Canceled and withdrawn claims should be indicated by only the claim number and status.
- (2) All claims being currently amended must be presented with markings to indicate the changes that have been made relative to the immediate prior version. The changes in any amended claim should be shown by strikethrough (for deleted matter) or underlining (for added matter). An accompanying clean version is not required and should not be presented. Only claims of the status “currently amended” will include markings.
- (3) The text of pending claims not being amended must be presented in clean version, i.e., without any markings. Any claim presented in clean version will constitute an assertion that it has not been changed relative to the immediate prior version.
- (4) A claim may be canceled by merely providing an instruction to cancel. Listing a claim as canceled will constitute an instruction to cancel. Any claims added by amendment must be indicated as (new) and shall not be underlined.
- (5) All of the claims in each amendment paper must be presented in ascending numerical order. Consecutive canceled or withdrawn claims may be aggregated into one statement (e.g. Claims 1 – 5 (canceled)).

Example of listing of claims:

Claims 1-5 (canceled)

Claim 6 (withdrawn)

Claim 7 (previously amended): A bucket with a handle.

Claim 8 (currently amended): A bucket with a ~~green~~ blue handle.

Claim 9 (withdrawn)

Claim 10 (original): The bucket of claim 8 with a wooden handle.

Claim 11 (canceled)

Claim 12 (new): A bucket with plastic sides and bottom.

Claim 13 (previously added): A bucket having a circumferential upper lip.

Claim 14 (re-presented -- formerly claim 11): A black bucket with a wooden handle.

B) Amendments to the specification:

Amendments to the specification may be made by presenting a replacement paragraph, section or substitute specification marked up to show changes made relative to the immediate prior version. An accompanying clean version is not required and should not be presented.

C) Amendments to drawing figures:

Drawing changes may be made by presenting replacement figures which incorporate the proposed changes and which comply with § 1.84. An explanation of the changes made must be presented in the remarks section of the amendment. If the changes to the drawing figure(s) are not approved by the examiner, applicant will be informed in the next Office action. Any replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even though only one figure may be amended. The figure or figure number of the amended drawing should not be labeled as "amended."

Any questions regarding the submission of amendments pursuant to the revised practice set forth in this flyer should be directed to the following legal advisors in the Office of Patent Legal Administration (OPLA): Elizabeth Dougherty (Elizabeth.Dougherty@uspto.gov), Gena Jones (Eugenia.Jones@uspto.gov) or Joe Narcavage (Joseph.Narcavage@uspto.gov). For information on the waiver or legal aspects of the prototype, please contact Jay Lucas (Jay.Lucas@uspto.gov), Senior Legal Advisor (PCTLA) or Rob Clarke (Robert.Clarke@uspto.gov), Senior Legal Advisor (OPLA). Alternatively, further information may be obtained by calling OPLA at (703) 305-1616.

Response to Arguments

11. Applicant's arguments filed December 23, 2002 have been fully considered but they are not persuasive.

Whether the claims do, in fact, set out and circumscribe a particular area with reasonable degree of precision and particularity, definiteness of claim language is analyzed, not in a vacuum, but always in light of the teachings of the prior art and of the particular application disclosure as it would be interpreted by

one possessing the ordinary level of skill in the pertinent art (in re Moore, 169 USPQ 236). Reference to the specification disclosure or prior art teachings may make an otherwise definite claim take on an unreasonable degree of uncertainty (In re Cohen, 169 USPQ 45; In re Hammack, 166 USPQ 204; In re Anderson, 176 USPQ 331). If the scope of the invention sought to be patented cannot be determined from the language of the claims, a second paragraph rejection is appropriate (In re Wiggins, 179 USPQ 421).

Allowable Subject Matter

12. Claims 32-48 are allowed.
13. Since allowable subject matter has been indicated, applicant is encouraged to submit formal drawings in response to this Office Action. The early submission of formal drawings will permit the Office to review the drawings for acceptability and to resolve any informalities remaining therein before the application is passed to issue. This will avoid possible delays in the issue process.
14. As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

Drawings

15. The drawings were received on December 23, 2002. These drawings are approved.

Conclusion

16. Patent Customers Advised to FAX Communications to USPTO

Facsimile transmissions of communications to the Office can significantly expedite processing of the communication within the Office. For example, when an assignment document is faxed to the Office, the average cycle time to process, record, and send a notice of recordation is one calendar day, whereas when the document is mailed to the Office, the average cycle time is 113 calendar days. See Status of Office of Public Records Services, 1269 Off. Gaz. Pat. Office 19,20 (April 1, 2003).

With many of the facsimile numbers provided below (i.e., those numbers below with 746 or 872 after the area code in the facsimile number), a return receipt will be automatically generated that will include the number of pages received as well as the date and time the facsimile was received. Additionally, the return receipt will include an image of the received cover page. The return receipt will be automatically sent to the sender's facsimile machine so long as the sender's facsimile number is properly programmed in the sending facsimile machine, and the sender's facsimile machine is available to receive a fax immediately following the original transmission. (Note that with area code changes, or with movement of a facsimile machine from one number to another, the facsimile machine's number may need to be reprogrammed.) Even if a return receipt is not desired, at least the first page of the facsimile transmission must clearly indicate the date and time the transmission is sent, an identification of the business, other entity, or individual sending the transmission, and the telephone number of the sending machine or of such business, other entity, or individual. See 47 U.S.C. 227(d)(1)(B) and 47 CFR 68.318(d). A return receipt will be attempted to be sent several times, but if a busy signal is repeatedly received, a return receipt will not be received by the sender. Applicants are advised to use the certificate of facsimile transmission procedures when submitting a reply to an Office action by facsimile (see 37 CFR 1.6 and 1.8).

Applicants are also advised to retain the return receipt in the event that the Office has no record of the facsimile submission.

PTO Form 2038 should be used when authorizing payment by credit card; this form is maintained separate from the file to ensure confidentiality. Note that current processing of assignment documents now permits use of a credit card, but that PTO form 2038 should be used to prevent credit card information from being included in public records. Form PTO-2038 may be downloaded at <http://www.uspto.gov/web/forms/2038.pdf> from the USPTO website.

Faxes to the Office of Initial Patent Examination

Responses to notices from the Office of Initial Patent Examination (OIPE) and requests for corrected filing receipts may be filed by facsimile. New applications (other than continued prosecution applications (CPAs) under 37 CFR 1.53(d)) may not be filed by facsimile. The following is a list of Official Facsimile Numbers for the OIPE:

Fax number for corrected Filing Receipt Requests: 703-746-9195
Fax number for Response to Notice to File
Missing Parts (drawings may not be submitted by fax): 703-746-4060
Telephone number for Customer Service: 703-308-1202

Faxes to the Technology Centers

In addition, communications may be faxed to the Technology Centers. The following is a list of Official Facsimile Numbers for the Technology Centers:

TC1600:
Before Final: 703-872-9306
After Final: 703-872-9307
Customer Service: 703-872-9305
Telephone number for customer service: (703) 308-0198

TC2800:
Before Final: 703-872-9318
After Final: 703-872-9319
Customer Service: 703-872-9317
Telephone number for customer service: (703)306-3329

TC1700:
Before Final: 703-872-9310
After Final: 703-872-9311
Customer Service: 703-872-9309
Telephone number for customer

TC2900:
Before Final: 703-872-9322
After Final: 703-872-9323
Customer Service: 703-872-9321
Telephone number for customer

service: (703)306-5665

service: (703)306-5648

TC2100:

Before Final: 703-746-7239

After Final: 703-746-7238

Customer Service: 703-746-7240

Telephone number for customer

service: (703)306-5631

TC3600:

Before Final: 703-872-9326

After Final: 703-872-9327

Customer Service: 703-872-9325

Telephone number for customer

service: (703)306-5771

TC2600:

Before Final: 703-872-9314

After Final: 703-872-9315

Customer Service: 703-872-9313

Telephone number for customer

service: (703)306-0377

TC3700:

Before Final: 703-872-9302

After Final: 703-872-9303

Customer Service: 703-872-9301

Telephone number for customer

service: (703)306-5648

Faxes to the Office of Patent Publication

Patent applicants are also reminded that 37 CFR 1.6(d) permits payment of an issue fee and a publication fee (if required) by facsimile transmission. When drawings are submitted with payment of an issue fee, they may be submitted by facsimile, although applicants are reminded that the facsimile process may reduce the quality of the drawings, and the Office will generally print the drawings received.

The applicable telephone numbers for payment of the issue and/or publication fee(s) by facsimile transmission are as follows:

Fax number for Issue Fee

(and any Publication Fee) Payments: (703) 746-4000

Telephone number to check on receipt

of payment (with Office of Patent Publication): (703) 305-8283

The Office of Patent Publication also handles many matters related to publication of patent applications. For example, express abandonments under 37 CFR 1.138(c) are handled by the Pre-Grant Publication Division of the Office of Patent Publication. In addition, requests to rescind a nonpublication request and notices of foreign filing should be directed to the Pre-Grant Publication Division. Questions regarding publication of patent applications (or rescissions of nonpublication requests) may also be directed by e-mail to pgpub@uspto.gov.

Fax number for PGPUB correspondence: (703) 305-8568

Telephone number for the Pre-Grant Publication Division: (703) 605-4283

Faxes of Assignment Documents

Facsimile transmission to record an assignment or other documents affecting title is also accepted. This process allows customers to submit their documents directly into the automated Patent and Trademark Assignment System and receive the resulting recordation notice at their fax machine. Credit card payments to record assignment documents are now accepted, but use of the credit card form (PTO Form-2038) is required for the credit card information to be separated from the assignment records. Only documents with an identified patent application or patent number, a single cover sheet to record a single type of transaction, and the fee paid by a USPTO deposit account or credit card may be submitted via facsimile. Please refer to our Web Site, at <http://www.uspto.gov/web/offices/ac/ido/opr/ptasfax.pdf> for more information regarding the submission of assignment documents via facsimile.

Fax number for Automated Patent
and Trademark Assignment system: 703-306-5995

Telephone number for Assignment
Division for assistance: 703-308-9723

Faxes to the Office of Petitions

Applicable correspondence may be submitted to the Office of Petitions via facsimile. For questions concerning Petitions, contact the Office of Petitions at the numbers below:

Fax number for the Office of Petitions: 703-308-6916

Telephone number for customer service and inquiries: 703-305-9282

17. If applicants wish to request for an interview, an *"Applicant Initiated Interview Request"* form (PTOL-413A) should be submitted to the examiner prior to the interview in order to permit the examiner to prepare in advance for the interview and to focus on the issues to be discussed. This form should identify the participants of the interview, the proposed date of the interview, whether the interview will be personal, telephonic, or video conference, and should include a brief description of the issues to be discussed. A copy of the completed *"Applicant Initiated Interview Request"* form should be attached to the Interview Summary form, PTOL-413 at the completion of the interview and a copy should be given to applicant or applicant's representative.

18. SPECIAL MAIL STOPS FOR PATENT MAIL

Effective May 1, 2003, the United States Patent and Trademark Office has a new address for some mail. See Correspondence with the United States Patent and Trademark Office, 68 Fed. Reg. 14332 (March 25, 2003). The mail stop should generally appear as the first line in the address, but the term "Mail Stop" may be abbreviated "MS". Special mail stop designations should be used to allow forwarding of particular types of mail to the appropriate areas as quickly as possible. Such mail may be forwarded to the appropriate area without being opened. Only the specified type of document should be placed in an envelope addressed to one of these special mail stops. If any documents other than the specified type identified for each special mail stop are addressed to that mail stop, they will be significantly delayed in reaching the appropriate area for which they are intended.

Some correspondence may only be submitted via the Office's electronic filing system (EFS). Instructions on how to file and what can be filed via EFS are posted on the Office's Internet Web site <http://www.uspto.gov> under the Electronic Business Center section.

Please address mail to be delivered by the United States Postal Service (USPS) as follows:

Mail Stop _____
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Please address mail to be delivered by other delivery services (Federal Express (Fed Ex), UPS, DHL, Laser, Action, Purolator, etc.) as follows:

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2011 South Clark Place

Customer Window, Mail Stop ____
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

| Mail Stop Designations | Explanation |
|---------------------------------|---|
| Mail Stop 12 | Contributions to the Examiner Education Program. |
| Mail Stop 313(c) | Petitions under 37 CFR 1.313(c) to withdraw a patent application from issue after payment of the issue fee and any papers associated with the petition, including papers necessary for a continuing application or a request for continued examination (RCE). |
| Mail Stop AF | Amendments and other responses after final rejection, other than an appeal brief. |
| Mail Stop Appeal Brief- Patents | For appeal briefs under 37 CFR 1.192 or reply briefs under 37 CFR 1.193(a). |
| Mail Stop Application Number | For fee and petitions under 37 CFR 1.182 to obtain Mail Stop Designation received and/or application number for patent applications prior to the Office's standard notification (return post card or the official "Filing Receipt," "Notice to File Missing Parts," or "Notice of Incomplete Application"). |
| Mail Stop Comments- Patents | Public comments regarding patent related regulations and procedures. |
| Mail Stop Conversion | Requests under 37 CFR 1.53(c)(2) to convert a nonprovisional application to a provisional application and requests under 37 CFR 1.53(c)(3) to convert a provisional application to a nonprovisional application. |
| Mail Stop CPA | Requests for Continued Prosecution Applications (CPA's) under 37 CFR 1.53(d). |
| Mail Stop DD | Disclosure Documents or materials related to the Disclosure Document Program. |
| Mail Stop Design | The filing of all design patent applications that do not request expedited examination under 37 CFR 1.55. |
| Mail Stop EBC | Mail for the Electronic Business Center |
| Mail Stop ILS | Correspondence relating to international patent classification, exchanges and standards. |

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| Mail Stop Expedited Design | Only to be used for the initial filing of design applications accompanied by a request for expedited examination under 37 CFR 1.155. (Design applicants seeking expedited examination may alternatively file a design application and corresponding request under 37 CFR 1.155 by hand-delivering the application papers and request directly to the Design Group Director's office.) |
| Mail Stop Issue Fee | All communications following the receipt of a PTOL-85, "Notice of Allowance and Fee(s) Due," and prior to the issuance of a patent should be addressed to Mail Stop Issue Fee, unless advised to the contrary. Issue fee payments can also be faxed to (703)746-4000. Assignments are the exception. Assignments (with cover sheets) should be faxed to (703)306-5995 or submitted in a separate envelope and be sent to Mail Stop Assignment Recordation Services, Director - US Patent and Trademark Office as shown below. |
| Mail Stop Missing Parts | Reply to the Notice to File Missing Parts of Application and associated papers and fees. Note that such correspondence may also be faxed to: 703-746-4060. |
| Mail Stop MPEP | Submissions concerning the Manual of Patent Examining Procedure. |
| Mail Stop Non-Fee Amendment | Non-fee amendments to patent applications. (Use Mail Stop AF for replies after final rejection.) |
| Mail Stop Patent Application | New patent applications and associated papers and fees. |
| Mail Stop Patent Ext. | Applications for patent term extension and any communications relating thereto. |
| Mail Stop Petition | Petitions to be decided by the Office of Petitions including petitions to revive and petitions to accept late payment of issue fees or maintenance fees. |
| Mail Stop PGPUB | Correspondence regarding publication of patent applications not otherwise provided, including requests for early publication made after filing, rescission of non-publication request, corrected patent application publication, refund of publication fee. |
| Mail Stop PGPUB - ABD | Petitions under 37 CFR 1.138 to expressly abandon an application to avoid publication of the application. |
| Mail Stop PGPUB Drawings | Drawings to be included in a patent application publication (replacement drawings for drawings included with a patent application on filing). |
| Mail Stop PCT | Mail related to applications filed under the Patent Cooperation Treaty. |
| Mail Stop Provisional Patent Application | The filing of all provisional patent applications and any communications relating thereto. |
| Mail Stop RCE | Requests for continued examination under 37 CFR 1.114. |

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| Mail Stop Reconstruction | Correspondence pertaining to the reconstruction of lost patent files. |
| Mail Stop <i>Ex Parte</i> Reexam | Requests for Reexamination for original request papers only . |
| Mail Stop <i>Inter Partes</i> Reexam | Requests for <i>Inter Partes</i> Reexamination for <i>original</i> request papers and for all <i>subsequent</i> correspondence other than correspondence to the Office of the Solicitor (see 37 CFR §§ 1.1(a)(3) and 1.302(c)). |
| Mail Stop Reissue | All new and continuing reissue application filings. |
| Mail Stop Sequence | Submission of diskette for applications with sequence listings. |

ADDRESS FOR TRADEMARK MAIL

The box designations previously listed in Trademark Manual of Examining Procedure, Section 305.01 are no longer in use. See Change of Address for Mailing Trademark Correspondence, which is posted on the USPTO Internet web site at: <http://www.uspto.gov/web/trademarks/tmmailingaddressnotice.htm>. Please address mail to be delivered by the United States Postal Service (USPS) as follows:

Commissioner for Trademarks
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Arlington, Virginia 22202-3514

SPECIAL MAIL STOPS APPLICABLE TO BOTH PATENT AND TRADEMARK MAIL

The following special mail stop designations are applicable to both patent and trademark related mail, and the recommendations for "Special Mail Stops for Patent Mail" (above) should be followed for the types of mail listed below.

Please address mail to be directed to a mail stop identified below to be delivered by the United States Postal Service (USPS) as follows (unless otherwise instructed):

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Director of the US Patent and
Trademark Office
PO Box 1450
Alexandria, VA 22313-1450

| Mail Stop Designations | Explanation |
|------------------------|---|
| Mail Stop 3 | Mail for the Office of Personnel from NFC |
| Mail Stop 6 | Mail for the Office of Procurement. |
| Mail Stop 8 | All papers for the Office of the Solicitor except communications relating to pending litigation and disciplinary proceedings; papers relating to pending litigation in court cases shall be mailed only to Office of the Solicitor, PO Box 15667, Arlington, VA 22215 and |

papers related to pending disciplinary proceedings before the Administrative Law Judge or the Director shall be mailed only to the Office of the Solicitor, PO Box 16116, Arlington, VA 22215.

| | |
|--|--|
| Mail Stop 11 | Mail for the Electronic Ordering Service (EOS). |
| Mail Stop 13 | Mail for the Employee and Labor Relations Division. |
| Mail Stop 16 | Mail related to refund requests. |
| Mail Stop 17 | Invoices directed to the Office of Finance. |
| Mail Stop 24 | Mail for the Inventor's Assistance Program, including complaints about Invention Promoters. |
| Mail Stop 171 | Vacancy Announcement Applications. |
| Mail Stop Assignment Recordation Services | All assignment documents, security interests, and other documents to be recorded in the Assignment records. Note that documents with cover sheets faxed to (703)306-5995 are processed much more quickly than those submitted by mail. |
| Mail Stop Congressional Relations | Mail for the Office of Congressional Relations. |
| Mail Stop Document Services | All requests for certified or uncertified copies of patent or trademark documents. |
| Mail Stop EEO | Mail for the Office of Civil Rights. |
| Mail Stop Enforcement | Mail for the Office of Enforcement. |
| Mail Stop Interference | Communications relating to interferences and applications and patents involved in interference. |
| Mail Stop International Relations | Mail for the Office of International Relations. |
| Mail Stop M Correspondence | Correspondence related to maintenance fees other than payments of maintenance fees in patents. See below for the address for maintenance fee payments. |
| Mail Stop OED | Mail for the Office of Enrollment and Discipline. |

Maintenance Fee Payments

Payments of maintenance fees in patents not submitted electronically over the Internet at www.uspto.gov should be mailed to:

United States Patent and Trademark
Office
PO Box 371611
Pittsburgh, PA 15250-1611

Deposit Account Replenishments

To send payment to replenish deposit accounts, send the payments to:

Director of the United States Patent and
Trademark Office
PO Box 70541
Chicago, IL 60673

Questions regarding the information provided on this page should be directed to: Darnell Jayne, Legal Advisor in the Office of Patent Legal Administration, by telephone at (703) 308-6906 or by e-mail addressed to Darnell.Jayne@USPTO.gov.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIAM D CUMMING whose telephone number is 703-305-4394. The examiner can normally be reached on Tuesday and Wednesday 10:30am to 8:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

20. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wdc



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PATENT AND
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A handwritten signature in black ink, appearing to read "William Cumming", written over a horizontal line.

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